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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

FEB 20 2004

at 1 o'clock and 20 min. M.
WALTER A. Y. H. CHINN, CLERK

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

SPORTS SHINKO (USA) CO., LTD., a Delaware corporation,) CIVIL NO. CV04 00126 SPK KSC
Plaintiff,) COMPLAINT REGARDING
vs.) FRAUDULENT TRANSFER
KIAHUNA GOLF CLUB, LLC, a) (KAUA'I); SUMMONS
Hawai'i limited liability company;))
KG KAUAI DEVELOPMENT, LLC,))
a Hawai'i limited liability)
company; PUKALANI GOLF)
CLUB, LLC, a Hawai'i limited)
liability company; KG MAUI)
DEVELOPMENT, LLC, a Hawai'i)
limited liability company;))
MILILANI GOLF CLUB, LLC, a)
Hawai'i limited liability company;))

QK HOTEL, LLC, a Hawai'i limited liability company; OR)
HOTEL, LLC, a Hawai'i limited liability company, and KG)
HOLDINGS, LLC, a Hawai'i limited liability company,)
Defendants.)

)

COMPLAINT REGARDING FRAUDULENT TRANSFER (KAUA'I)

Plaintiff SPORTS SHINKO (USA) CO., LTD. ("SS USA"), through its undersigned attorneys, brings this action for relief relating to a transfer made in violation of the Uniform Fraudulent Transfer Act, Ch. 651C, HRS, and other claims.

PARTIES

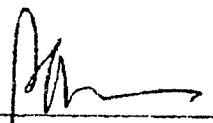
1. Plaintiff SS USA is a corporation organized and operating under the laws of Delaware. Its principal place of business is in Virginia. SS USA's majority owner is Sports Shinko Co., Ltd. ("SS Japan"), a Japan corporation. SS Japan is in reorganization under Japan law under the control of Trustee Mutsuc Tahara and Deputy Trustee Keijiro Kimura (collectively, the "Trustee"). Keijiro Kimura is now President of Sports Shinko

B. Order an accounting of all net proceeds in the original transfer from SSK to KG Kauai, any profits earned thereon, and of the value realized by each of the KG SUBSIDIARIES from the payment of the Mortgage;

C. Impose a constructive trust and a lien upon the assets of each of the KG SUBSIDIARIES to the extent that the proceeds from the sale to Resnick's nominee were used to reduce the pre-existing mortgage lien upon their properties; and

D. Award SS USA damages commensurate with the proof at trial as well as its attorneys' fees, costs, and such other and further relief as may be just and proper.

DATED: Honolulu, Hawai'i, February 20, 2004.



PAUL ALSTON
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